

IDS - 11/02/2004

Atty. Docket No.:
7800.3564Application No.:
10/039,935

INFORMATION DISCLOSURE CITATION

(Page 1 of 6)

Applicant: Robert Eric Montgomery

Filing Date:
November 1, 2001Group:
1614

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date (if appropriate)
DJ	R e 3 3 7 8 6	1/1992	Pohl et al.	8	406	
	1 4 3 5 4 9 8	11/1922	Resnik	424	53	
	3 2 8 6 9 9 2	11/1966	Armeniades et al.	259	4	
	3 3 7 8 4 4 4	4/1968	Swanson	167	88	
	3 5 7 7 5 2 1	5/1971	Scheller et al.	424	55	
	3 6 3 2 2 9 5	1/1972	Kathleen et al.	8	111	
	3 6 5 7 4 1 3	4/1972	Rosenthal	424	81	
	3 6 6 4 6 3 8	5/1972	Grout et al.	259	4	
DJ	4 0 4 1 1 4 9	8/1977	Gaffar et al.	424	57	

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation (Yes/No)
DJ	GB 1 4 6 9 3 9 8	4/1977	United Kingdom			Y
	GB 2 2 8 9 8 4 1 A	6/1995	Untied Kingdom			Y
	GB 2 2 9 0 2 3 3 A	12/1995	United Kingdom			Y
DJ	WO 9 6 2 5 9 1 6	8/1996	WIPO			Y

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)

DJ	Frysh et al., "Effect of pH on Hydrogen Peroxide Bleaching Agents," <u>Journal of Esthetic Dentistry</u> , Vol. 7, No. 3, pp. 130-133 (1995)
	Phillips et al., "Peroxide Penetration into the Dental Pulp from an Alkaline Bleaching Solution," IADR Abstract No. 2098, <u>J. Dent. Res.</u> , Vol. 75, p. 280 (1996)
	"Buyers' Guide to Whitening Systems - In Home - In Office," <u>Dentistry Today</u> , Dec. 1997
	Written Opinion, PCT/US96/15366, August 29, 1997
DJ	International Preliminary Examination Report, PCT/US96/15366, January 12, 1998

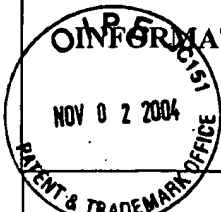

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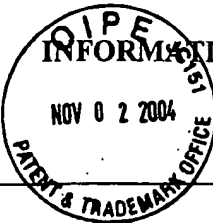

DATE CONSIDERED

04/15/2006

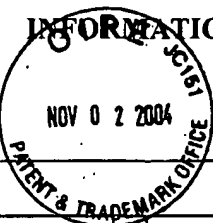
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*Examiner Initial	Document Number							Date	Name	Class	Subclass	Filing Date (if appropriate)	
	DJ	4	3	3	0	5	3	1	5/1982	Alliger	424	53	
		4	4	0	8	8	9	3	10/1983	Rice	366	339	
		4	5	2	5	2	9	1	6/1985	Smith et al.	252	186.29	
		4	5	3	8	9	2	0	9/1985	Drake	366	137	
		4	5	4	0	5	0	4	9/1985	Eoga	510	117	
		4	5	9	2	4	8	7	6/1986	Simon et al.	222	94	
		4	6	3	2	5	6	8	12/1986	Emele et al.	366	337	
		4	6	8	7	6	6	3	8/1987	Schaeffer	424	52	
		4	6	8	9	2	1	5	8/1987	Ratcliff	424	53	
		4	7	6	7	0	2	6	8/1988	Keller et al.	222	137	
	4	7	7	6	8	5	5	10/1988	Pohl et al.	8	406		
DJ	4	7	8	8	0	5	2	11/1988	Ng et al.	424	53		
FOREIGN PATENT DOCUMENTS													
		Document Number							Date	Country	Class	Subclass	Translation (Yes/No)
DJ	WO	9	8	0	4	2	3	5	2/1998	WIPO			Y
	EP	0	5	3	5	8	1	6	4/1993	European Pat. Off.			
	EP	0	5	4	5	5	9	4	6/1993	European Pat. Off.			
	GB	2	2	9	0	2	3	4	12/1995	United Kingdom			
DJ	WO	9	7	1	1	6	7	6	4/1997	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)													
DJ	Deposition of Robert E. Montgomery, August 29, 2003, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)												
DJ	Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, with Exhibits D and E thereto, September 29, 2003, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)												
DJ	Production of Documents Accompanying Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, September 29, 2003, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)												
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DJ	4	8	1	2	1	7	3	3/1989	Tsao et al.	134	27								
	4	8	3	7	0	0	8	6/1989	Rudy et al.	424	53								
	4	8	9	1	2	1	6	1/1990	Kross et al.	424	661								
	4	8	9	5	7	2	1	1/1990	Drucker	424	53								
	4	8	9	7	2	5	8	1/1990	Rudy et al.	424	53								
	4	9	0	2	4	9	8	2/1990	Agricola et al.	424	53								
	4	9	4	1	7	5	1	7/1990	Muhlbauer	366	176								
	4	9	5	2	0	6	8	8/1990	Flint	366	337								
	4	9	7	0	0	5	8	11/1990	Hills et al.	423	415P								
	4	9	7	0	0	6	6	11/1990	Grollier et al.	424	62								
	4	9	7	1	7	8	2	11/1990	Rudy et al.	424	53								
	4	9	7	6	9	5	5	12/1990	Libin	424	53								
	4	9	8	0	1	5	2	12/1990	Frazier et al.	424	52								
	4	9	8	8	5	0	0	1/1991	Hunter et al.	424	53								
DJ	5	0	3	3	6	5	0	7/1991	Colin et al.	222	137								
FOREIGN PATENT DOCUMENTS																			
	Document Number								Date	Country	Class	Subclass	Translation (Yes/No)						
	EP	0	8	6	2	4	0	B1	2/2003	European Pat. Off.									
DJ	EP	1	3	1	4	4	1	A2	5/2003	European Pat. Off.			Y						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)																			
DJ	Plaintiff's Preliminary Claim Constructions and Extrinsic Evidence, November 12, 2003, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)																		
DJ	Deposition of John F. Witherspoon, March 8, 2004, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)																		
DJ	Plaintiffs' Opening Claim Construction Brief, April 26, 2004, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)																		
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DJ		5	0	5	9	4	1	7	10/1991	Williams et al.	424	53		
		5	0	7	8	6	7	2	7/1992	Dougherty et al.	494	37		
		5	0	9	8	3	0	3	3/1992	Fischer	433	215		
		5	1	0	0	6	5	2	3/1992	Kross et al.	424	53		
		5	1	3	9	7	8	8	8/1992	Schmidt	424	616		
		5	1	6	5	4	2	4	11/1992	Silverman	128	861		
		5	1	7	1	5	6	4	12/1992	Nathoo et al.	424	53		
		5	1	8	0	5	7	3	1/1993	Husamatsu et al.	423	584		
		5	2	4	0	4	1	5	08/1993	Haynie	433	216		
		5	2	5	6	4	0	2	10/1993	Prencipe et al.	424	53		
		5	2	6	4	2	0	5	11/1993	Kelly	424	53		
		5	2	7	9	8	1	6	1/1994	Church et al.	424	53		
		5	2	8	1	4	1	2	1/1994	Lukacovic et al.	424	53		
DJ		5	3	0	2	3	7	4	4/1994	Wagner	424	52		
FOREIGN PATENT DOCUMENTS														
		Document Number							Date	Country	Class	Subclass	Translation (Yes/No)	
DJ	EP	1	3	1	4	4	1	9	A3	7/2003	European Pat. Off.	—	—	Y
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)														
DJ	Discus Dental, Inc.'s Memorandum of Points and Authorities in Support of Its Proposed Claim Constructions and Response to BriteSmile's Opening Claim Construction Brief, May 10, 2004, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)													
DJ	BriteSmile's Reply in Support of Its Proposed Claim Construction, May 24, 2004, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)													
DJ	Dr. Nathoo and OHCS' Amended Answer to Plaintiffs' Third Amended Complaint and Amended Counterclaims, and Exhibits A to P thereto, October 5, 2004, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)													
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	5	3	1	0	5	6	3	5/1994	Curtis et al.	424	616	
	5	3	7	4	3	6	8	12/1994	Hauschild	252	95	
	5	3	7	6	0	0	6	12/1994	Fischer	433	215	
	5	4	0	9	6	3	1	4/1995	Fischer	252	186.25	
	5	4	2	4	0	6	0	6/1995	Hauschild	424	52	
	5	4	2	9	2	7	7	7/1995	Kopp et al.	222	145.6	
	5	5	5	4	6	6	5	9/1996	Tateosian et al.	433	90	
	5	6	3	1	0	0	0	5/1997	Pellico et al.	424	53	
	5	6	4	5	4	2	8	7/1997	Yarborough	433	215	
	5	6	4	8	0	6	4	7/1997	Gaffar et al.	424	53	
V	5	6	7	6	9	3	3	10/1997	Hauschild	424	53	
DJ	5	7	1	3	7	3	8	2/1998	Yarborough	433	215	
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DJ	Confidentiality and Non-Disclosure Agreement, Jan. 11, 1996, Term Sheet, April 12, 1996, and 12 batch cards for two-component tooth whitening compositions, March to May 1996, Exhibit 517 from Deposition of Robert E. Montgomery, August 29, 2003, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)											
DJ	Day White Formula Sheet, December 22, 1997, Exhibit S, Production of Documents Accompanying Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)											
DJ	Day White Formula Sheet, October 16, 1997, Exhibit T, Production of Documents Accompanying Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)											
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 <p style="margin: 0;">(Page 6 of 6)</p>		Atty. Docket No.: 7800.3564		Application No.: 10/039,935			
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DJ		5 7 6 6 5 7 4	6/1998	Christina-Beck et al.	424	53	
↓		5 7 8 5 5 2 7	7/1998	Jensen et al.	433	215	
		5 8 1 4 3 0 3	9/1998	Williams et al.	424	57	
		5 8 1 4 6 8 1	9/1998	Hind et al.	222	145.5	
		5 8 2 9 6 3 9	11/1998	Horner	222	137	
		5 8 5 5 8 7 5	1/1999	Williams et al.	424	57	
		5 8 5 8 3 3 2	1/1999	Jensen et al.	424	53	
		5 9 0 2 5 6 8	5/1999	Ryles et al.	424	53	
		5 9 2 8 6 2 8	7/1999	Pellico	424	49	
		6 0 1 7 5 1 5	1/2000	Van Den Boscas	424	53	
		6 0 3 6 4 9 3	3/2000	Sharma	424	53	
DJ		6 1 1 6 9 0 0	9/2000	Ostler	433	89	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation (Yes/No)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Page, Etc.)							
DJ	Day White Whitening Instructions, undated, Exhibit U, Production of Documents Accompanying Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)						
DJ	Day White Advertising, December 1997, Exhibit V, Production of Documents Accompanying Defendant Discus Dental, Inc.'s Preliminary Invalidity Contentions, <u>BriteSmile v. Discus Dental</u> , Case No. C02-03220 JSW (N.D. Calif.)						
DJ	Defendants' Answer and Counterclaims, February 6, 2004, <u>The Procter & Gamble Co. v. Oraceutical LLC, et al.</u> , Case No. C-1-03-433						
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